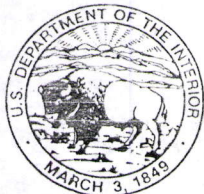


5/003/032



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah 84119

3809

UTU-72297

(UT-023)

NOV 24 2003

Certified Mail Number 7002 0860 0004 6656 9876

Return Receipt Requested

DECISION

Mr. William L. Bown
Bonneville Quarries, Inc.
842 West 400 North
West Bountiful, Utah 84087

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:
:
:

Financial Guarantee
Required 43 CFR 3809.333
and 3809.503

On January 22, 2003, we received your request to extend your Notice, UTU-72297, for a two-year period so that mill site operations could continue at the Enterprise Mill Site. This operation is located in Section 31, T. 13 N., R. 13 W. In that letter, you submitted a reclamation cost estimate of \$4,583.68 which you felt was adequate to complete reclamation of the mill site.

We have reviewed your reclamation cost estimate and have determined that the actual reclamation costs which would be incurred by a third-party contractor would be \$16,902.56, plus administrative costs. We arrived at that amount by using a "Reclamation Cost Model" that was developed by the Bureau of Land Management's (BLM) Utah State Office for existing Notice-level operations. On September 4, 2003, an inspection of the mill site area was conducted. At the time of this inspection, the following equipment and vehicles were found within the fenced perimeter: 2 fuel tanks, a forklift, 3 travel trailers, 2 semi-tractor trailers, a van, a Power Wagon truck, a rock splitter and 4 semi tractors. Our reclamation estimate is based on the costs associated with removing this equipment, plus waste and stone stockpiles. Any additional equipment that is stored or placed on the mill site after Bonneville Quarries, Inc. has submitted the required reclamation bond would result in an upward adjustment in the amount of the required reclamation bond. Conversely, the removal of any of these vehicles and/or waste/stone stockpiles may reduce Bonneville Quarries reclamation liability. Our enclosed reclamation estimate is based on removal of the equipment and waste/stone stockpiles that existed on site as of September 4, 2003. Reclamation would include the costs associated with ripping the surface of the mill site, revegetating the reclaimed mill site with live native seed, removing all of the vehicles, trailers, pallets of stone, waste stockpiles, trash, debris and

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DIV. OF OIL, GAS & MINING

miscellaneous equipment, and the costs associated with mobilization of equipment to and from the site to complete the reclamation work. When the applicable administrative costs are included, the resulting combined reclamation cost for your operation is estimated to be \$26,334.19. We have enclosed a copy of our Reclamation Cost Model for your information. A financial guarantee in the amount of \$26,334.19 is required in order to extend your notice.

The required financial guarantee must be submitted within 60 days of receipt of this decision. The types of instruments acceptable in Utah are listed on BLM's Surface Management Bond Requirements (copy enclosed). The financial guarantee should be submitted to the Utah State Office, Minerals Adjudication, P.O. Box 45155, SLC, UT 84145-0155.

If you do not submit an acceptable financial guarantee within the 60 days given, your notice will expire. The only authorized activity will be reclamation. A reclamation plan and schedule must be accepted prior to any reclamation activity commencing on the ground.

If you do not agree and are adversely affected by this decision, in accordance with 43 CFR 3809.804 you may request that the Utah BLM State Director review this decision. If you request a State Director review, the request must be received in the Utah BLM State Office, P.O. Box 45155, Salt Lake City, Utah 84145-0155, no later than 30 calendar days after you receive this decision. A copy of the request must also be sent to this office. The request must be in accordance with the provisions provided in 43 CFR 3809.805. If a State Director review is requested, this decision will remain in effect while the State Director review is pending, unless a stay is granted by the State Director. Standards for obtaining a stay are given below. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the Utah State Director does not make a decision on whether to accept your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the Utah BLM State Office to determine when BLM receives the request for State Director Review. You have 30 days from the end of the 21 day period in which to file your notice of appeal with the IBLA (see procedures below).

If you wish to bypass the State Director review, this decision may be appealed directly to the IBLA, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Salt Lake Field Office, located at 2370 South 2300 West, Salt Lake City, Utah, 84119, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If you have any questions regarding this matter or require additional information, please contact Michael Ford of my staff at (801) 977-4360.



Michael G. Nelson
Acting Assistant Field Office Manager
Non-Renewable Resources

Enclosures: Reclamation Cost Estimate
Form 1842-1
BLM's Surface Management Bond Requirements

cc: D. Wayne Hedberg
Utah Division of Oil, Gas and Mining